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William M. Fischbach III (*admitted pro hac vice*)
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Counsel for Defendant/Counterclaimant Martin Tripp

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Case No. 3:18-cv-00296-LRH-CBC

TESLA, INC., a Delaware corporation,

Plaintiff,

vs.

MARTIN TRIPP, an individual,

Defendant.

**MOTION TO WITHDRAW AS COUNSEL
OF RECORD AND APPROVE CHANGE
OF COUNSEL OF RECORD WITHIN
LAW FIRM**

MARTIN TRIPP, an individual,

Counterclaimant,

vs.

TESLA, INC., a Delaware corporation,

Counterdefendant.

1 Pursuant to Local Rule IA 11-6 of the Local Rules of the United States District Court
2 for the District of Nevada ("Local Rule") and Rule 1.16(b)(1) and (7) of the Nevada Rules
3 of Professional Conduct, Christopher J. Waznik respectfully moves the Court for an Order
4 permitting Christopher J. Waznik, who has appeared in these proceedings as *pro hac vice*
5 counsel for Defendant/Counterclaimant Martin Tripp ("Mr. Tripp"), to withdraw as counsel
6 for Mr. Tripp in the above-styled matter and approving the change in counsel within the
7 same law firm. This Motion is supported by the following memorandum of points and
8 authorities.

9 **MEMORANDUM OF POINTS AND AUTHORITIES.**

10 Pursuant to Local Rule 11-6, Mr. Waznik respectfully requests an order authorizing
11 him to withdraw as counsel for Mr. Tripp and approving the change in counsel within firm.
12 The reason for this request is that as of June 14, 2019, Mr. Waznik will no longer be
13 affiliated with Tiffany & Bosco, P.A. as he has accepted a position with the federal
14 government. Mr. Tripp will continue to be represented by the same other attorneys within
15 Tiffany & Bosco, P.A. who have all appeared in this action, namely, Robert D. Mitchell,
16 William M. Fischbach III, Jason C. Kolbe, and Kevin S. Soderstrom. Moreover, it is
17 anticipated that an additional attorney within Tiffany & Bosco, P.A. will submit an
18 application to appear in this case *pro hac vice* shortly. This change in counsel will not result
19 in the delay of discovery, the trial (which has not yet been scheduled), or any hearing in this
20 case as Mr. Tripp will continue to be represented by Messrs. Mitchell, Fischbach, Kolbe, and
21 Soderstrom who have all appeared in this action.

22 Likewise, pursuant to Rule 1.16(b)(1) of the Nevada Rules of Professional Conduct,
23 Mr. Waznik's withdrawal can be accomplished without material adverse effect on the
24 interests of Mr. Tripp as Mr. Tripp will continue to be represented by Tiffany & Bosco, P.A.
25 and four other attorneys who have all appeared in this action. Moreover, good cause under
26 Rule 1.16(b)(1) of the Nevada Rules of Professional Conduct exists for Mr. Waznik's
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1 withdrawal as he will no longer be associated with Tiffany & Bosco, P.A. and that law firm
2 will continue to represent Mr. Tripp in this matter.

3 Pursuant to Local Rules IA 11-6, Mr. Tripp has been notified of and consented to Mr.
4 Waznik's withdrawal and this change in counsel within firm, and counsel for
5 Plaintiff/Counterdefendant Tesla, Inc. has been notified with the filing of this Motion.

6 A proposed form of order is submitted herewith for entry.

7 DATED this 13th day of June, 2019.

8 TIFFANY & BOSCO, P.A.

9
10 By 

11 Robert D. Mitchell

12 William M. Fischbach III

13 Christopher J. Waznik

14 Jason C. Kolbe

15 Kevin S. Soderstrom

16 Camelback Esplanade II, Seventh Floor

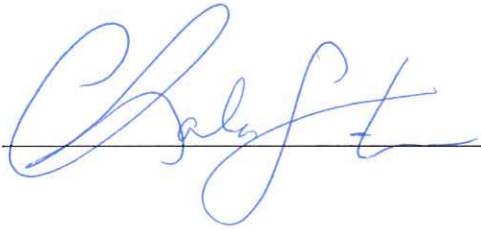
17 2525 East Camelback Road

18 Phoenix, Arizona 85016-4229

19 *Counsel for Defendant/Counterclaimant*
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CERTIFICATE OF SERVICE

I hereby certify and declare under penalty of perjury that on June 13, 2019, I electronically filed the foregoing with the Clerk of Court for filing and uploading to the CM/ECF system which will send notification of such filing to all parties of record.

A handwritten signature in blue ink, appearing to read "Chalyst", is written over a horizontal line.